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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,784	03/16/2004	Paul D. Stevenson	GP-303910	3112

7590 08/09/2005

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EXAMINER
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LEWIS, TISHA D

ART UNIT	PAPER NUMBER
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3681

DATE MAILED: 08/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/801,784	Applicant(s) STEVENSON, PAUL D.	
	Examiner TISHA D. LEWIS	Art Unit 3681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7 and 8 is/are allowed.
- 6) ☒ Claim(s) 1,4-6 and 9-11 is/are rejected.
- 7) ☒ Claim(s) 2 and 3 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

### **DETAILED ACTION**

The following is a first action on the merits of application serial no. 10/801,784 filed on March 16, 2004.

#### ***Information Disclosure Statement***

The information disclosure statement filed on March 16, 2004 has been considered.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4-6 and 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hayabuchi et al ('032) in view of Leonard et al ('995). As to claims 1 and 6, Hayabuchi et al discloses (Figure 14) an automatic transmission having an input shaft (15) continuously connected to a first member (R2) of a first gear set, an output shaft (18) continuously connected to a first member (R4) of a third gear set, a first torque mechanism (B-4) interconnecting a second member (C3) of a second gear set with a housing (12), a second torque mechanism (B-3) interconnecting a third member (S3) of the second gear set with the housing, a third torque mechanism (C-3) interconnecting a second member (C2) of the first gear set with the third member (S3) of the second gear set, a fourth torque mechanism (C-2) interconnecting the first member (R2) of the first gear set with a second member (C4) of the third gear set, a fifth

torque mechanism (B-2) interconnecting the third member (S2) of the first gear set with the housing, a sixth torque mechanism (C-1) interconnecting the second member (C2) of the first gear set with the third member (S4) of the third gear set, the torque mechanisms being engaged in combinations of three (Figure 15) to establish seven forward ratios and one reverse.

Hayabuchi et al does not disclose the arrangement for engaging the torque mechanisms.

Leonard et al discloses a multiple speed transmission wherein a fluid for supplying a clutch and brake mechanism is carried through a hollow shaft (54) connected to a sun gear (122) through radially extending apertures (62, 70, 72).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide Hayabuchi et al with a fluid supplying arrangement involving a sun gear in view of Leonard et al to shorten the traveling distance of a fluid from a pressure source to the torque mechanism.

As to claim 4, Hayabuchi et al discloses the first members as ring gears, the second members as carriers and the third members as sun gears.

As to claim 5, Hayabuchi et al discloses the first member of the second gear set (R3) and the first member of the third gear set (R4) being integral.

As to claims 9 and 11, Hayabuchi et al discloses the input shaft (15) continuously connected to the ring gear (R2) of the first gear set, an output shaft (18) continuously connected to the ring gear (R4) of the third gear set, six torque mechanisms (C-1 to C-3 and B-2 to B-4) interconnecting the gear set members with the housing or other gear set

members, the mechanisms are engaged in combinations of three (Figure 15) to establish at least seven forward ratios and one reverse, but Hayabuchi et al does not disclose the arrangement for engaging the torque mechanisms.

Leonard et al discloses a multiple speed transmission wherein a fluid for supplying a clutch and brake mechanism is carried through a hollow shaft (54) connected to a sun gear (122) through radially extending apertures (62, 70, 72).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide Hayabuchi et al with a fluid supplying arrangement involving a sun gear in view of Leonard et al to shorten the traveling distance of a fluid from a pressure source to the torque mechanism.

As to claim 10, Hayabuchi et al discloses a first torque mechanism (B-4) interconnecting a planet carrier (C3) of a second gear set with a housing (12), a second torque mechanism (B-3) interconnecting a sun gear (S3) of the second gear set with the housing, a third torque mechanism (C-3) interconnecting a planet carrier (C2) of the first gear set with the sun gear (S3) of the second gear set, a fourth torque mechanism (C-2) interconnecting the ring gear (R2) of the first gear set with a planet carrier (C4) of the third gear set, a fifth torque mechanism (B-2) interconnecting a sun gear (S2) of the first gear set with the housing and a sixth torque mechanism (C-1) interconnecting the planet carrier (C2) of the first gear set with a sun gear (S4) of the third gear set.

***Allowable Subject Matter***

Claims 7 and 8 are allowed.

Claims 2 and 3 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**FACSIMILE TRANSMISSION**

Submission of your response by facsimile transmission is encouraged. Group 3600's facsimile number is **(703) 872-9326 before final and 703-872-9327 after final**. Recognizing the fact that reducing cycle time in the processing and examination of patent applications will effectively increase a patent's term, it is to your benefit to submit responses by facsimile transmission whenever permissible. Such submission will place the response directly in our examining group's hands and will eliminate Post Office processing and delivery time as well as the PTO's mail room processing and delivery time. For a complete list of correspondence not permitted by facsimile transmission, see MPEP 502.01. In general, most responses and/or amendments not requiring a fee, as well as those requiring a fee but charging such fee to a deposit account, can be submitted by facsimile transmission. Responses requiring a fee which applicant is paying by check **should not be** submitting by facsimile transmission separately from the check.

Responses submitted by facsimile transmission should include a Certificate of Transmission (MPEP 512). The following is an example of the format the certification might take:

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Typed or printed name of person signing this certificate:

\_\_\_\_\_  
\_\_\_\_\_  
(Signature)

If your response is submitted by facsimile transmission, you are hereby reminded that the original should be retained as evidence of authenticity (37 CFR 1.4 and MPEP 502.02). Please do not separately mail the original or another copy unless required by the Patent and Trademark Office. Submission of the original response or a follow-up copy of the response after your response has been transmitted by facsimile will only cause further unnecessary delays in the processing of your application; duplicate

responses where fees are charged to a deposit account may result in those fees being charged twice.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

-Ishimaru et al ('985), Usoro et al ('858), Haka ('841), Asada ('116), Asada et al ('357), Kasuya et al ('463), Raghavan et al ('734), Duffy ('755), Croswite ('175), JP 02102952A, JP 02154845A, JP 02154841A, JP 02154840A, JP 02102954A, JP 02102953A and DE 10247702A1.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TISHA D. LEWIS whose telephone number is 571-272-7093. The examiner can normally be reached on M-Thur 6 AM TO 2:30 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, CHARLES A. MARMOR can be reached on 571-272-7095. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Tdl  
August 7, 2005

  
**TISHA LEWIS**  
**PRIMARY EXAMINER**  
AU 3681 8/7/05